

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Dawayne Briggs

Case No. 20-410-m

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 12, 2020 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

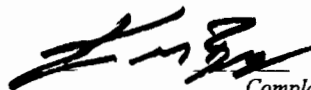
Offense Description

Title 18 U.S.C. Section 922(g)(1)

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See attached affidavit

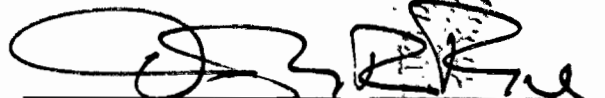
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Complainant's signature

Kyle Raguz, Special Agent, ATF

Printed name and title

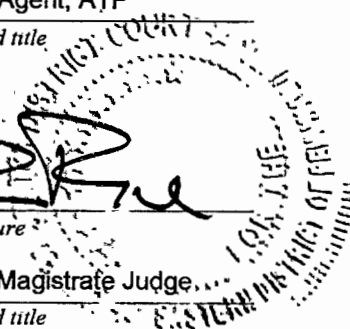
Sworn to before me and signed in my presence.

Date: 03/12/2020City and state: Philadelphia, PA


Judge's signature

Hon. Timothy R. Rice, US Magistrate Judge

Printed name and title



20-410-m

AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND WARRANT

I, Kyle Raguz, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, ATF, and have been so employed since September 2015. I am a graduate of the Criminal Investigator Training Program and the Special Agent Basic Training Program at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. I am currently assigned to a specialized enforcement group, the ATF Group VI Violent Crimes Task Force, whose primary mission is to investigate individuals and groups that are engaged in the commission of federal firearms and narcotics violations. Group VI investigates violent street gangs and crews in Philadelphia, Pennsylvania, including but not limited to their use of firearms during and in relation to the distribution of controlled substances and their involvement in the illegal trafficking of firearms. Additionally our task force is a High Intensity Drug Trafficking Area (HIDTA) Group.

2. The information contained in this affidavit is based upon my personal observations and investigation, information relayed to me by other special agents and/or other law enforcement agents, as well as official reports of law enforcement. Because this affidavit is being submitted for the limited purpose of securing an arrest warrant for Dawayne BRIGGS I have not included every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for BRIGGS' arrest.

PROBABLE CAUSE

FACTS AND CIRCUMSTANCES

3. On March 12, 2020, law enforcement personnel executed a search warrant on 1919 Market Street, Apartment #2702. When agents entered the bedroom, they found Dawayne BRIGGS sleeping in his bed. After BRIGGS was secured for the purpose of conducting the search, agents observed on the floor, within one arm's reach of BRIGGS, a shoebox containing a Ruger P94 .40 caliber pistol, serial number 34141250, loaded with ten live rounds of ammunition.

4. During the search of the residence, agents recovered a photograph of the defendant in the apartment, mail addressed to BRIGGS true name, Dawayne BRIGGS at 59 N Dewey Street, Philadelphia, and mail matter addressed to Wayne Bird, BRIGGS's alias, at 1919 Market Street. Agents also recovered BRIGGS false identification in the name of Wayne Bird, with BRIGGS's picture.

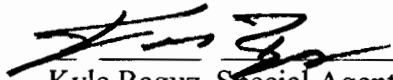
5. As part of my duties with ATF, I am regularly asked to determine the place of manufacture of firearms. Although a nexus check has not been completed on the firearm seized from the defendant's bedroom, I am familiar with the places where Ruger brand firearms are manufactured. Ruger does not manufacture firearms in Pennsylvania. Therefore, by virtue of firearm's recovery in Pennsylvania, this firearm, that is, a Ruger P94 .40 caliber pistol, serial number 34141250, travelled in interstate commerce.

6. I have reviewed BRIGGS' criminal record and have learned that he was convicted of felony narcotics offenses in the Eastern District of Pennsylvania. Specifically, in criminal no. 09-CR-183, the defendant was convicted of distribution of cocaine base (crack) and in criminal no. 09-CR-450, the defendant was convicted of possession with intent to distribute cocaine base

(crack). In those cases, he received a sentence of 120 months imprisonment in each case to run concurrently. Therefore, at the time he possessed the firearm on March 12, 2020, BRIGGS was previously convicted of an offense punishable by more than one year imprisonment and he had knowledge of this conviction.

7. Based upon the aforementioned facts stated herein, I have probable cause to believe that Dawayne BRIGGS has violated Title 18 U.S.C. § 922(g)(1), being a felon in possession of a firearm.

Respectfully submitted,



Kyle Raguz, Special Agent
Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Subscribed and sworn to before me on March 13, 2020



THE HONORABLE TIMOTHY R. RICE
UNITED STATES MAGISTRATE JUDGE

